

UNITED STATES DISTRICT COURT
for the

EASTERN District of CALIFORNIA

United States of America

v.

MIKE MARTY HERNANDEZ

Date of Original Judgment: 2/06/2023

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

) Case No: 1:22-cr-00160-NODJ-BAM
)
) USM No: 05614-510
)
) Peggy Sasso
) Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 37 months is reduced to 30 months.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 02/06/2023 shall remain in effect.

IT IS SO ORDERED.

Order Date: 03/11/2024


CHIEF UNITED STATES DISTRICT JUDGE

Effective Date: Ten days from the date of
this order.
(if different from order date)

Kimberly L. Mueller
Chief United States District Judge
Printed name and title

**This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)**

DEFENDANT: MIKE MARTY HERNANDEZ
CASE NUMBER: 1:22-cr-00160-NODJ-BAM
DISTRICT: EASTERN DISTRICT OF CALIFORNIA

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Total Offense Level: 17 Amended Total Offense Level: 17
Criminal History Category: IV Criminal History Category: III
Previous Guideline Range: 37 to 46 months Amended Guideline Range: 30 to 37 months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

III. FACTORS CONSIDERED UNDER USSG § 1B1.10 AND 18 U.S.C. § 3553(a) (See *Chavez-Meza v. United States, 138 S.Ct. 1959 (2018)*)